

BOARD OF MADISON COUNTY COMMISSIONERS
July 24, 2007 MINUTES

On Tuesday, July 24, 2007, a meeting of the Board of Madison County Commissioners came to order at 9:55 a.m. with Commissioners David Schulz and Jim Hart present. Lewis Stahl was absent.

Jim Hart moved to approve the July 17, 2007, minutes with corrections. David Schulz seconded the motion. All voted aye and the motion carried.

Those people in attendance at the meeting were Marilee Tucker, Frank Ford, Sheri Jarvis, Ellis Thompson, Jim Carpita, Stephanie Kruer, Ted Coffman, and those on the attached list.

Planning Office Transition: Marilee Tucker, Planning Office Clerk, met with the Board to discuss the transition in the Planning Office. Marilee stated that she had talked to Ann Cossit, Contract Planner, about reviewing more final plats than were originally agreed on as they are completed and that Ann is agreeable to reviewing more plats if necessary. Also discussed were requests to change building envelopes and other contract planners who may be available if needed.

Airports: David Schulz discussed two letters from T.R. Lane regarding fuel services and site planning for a hangar at the Ennis/Big Sky Airport. The Commission will respond to both letters.

Fire Restrictions: As recommended by Chris Mumme, Director of Emergency Management and Deputy Fire Warden, Jim Hart moved to upgrade fire restrictions to Stage II effective immediately. David Schulz seconded the motion. All voted aye and the motion carried.

Journal Vouchers: Jim Hart moved to approve remaining Journal Vouchers for the 6/07 accounting period. David Schulz seconded the motion. All voted aye and the motion carried.

Bond Election Resolution – Law and Justice Center: The Board discussed a resolution for a bond issue for the proposed Law and Justice Center and an addition to the existing Courthouse. Jim Hart moved to approve Resolution 18-2007, a resolution of the Board of County Commissioners submitting to the qualified electors of Madison County, Montana, the question of issuing general obligation bonds in the amount of ten million dollars (\$10,000,000), for the purpose of designing, constructing and equipping a County Law and Justice Center to include improved and secure Justice and District Court services, County Attorney, Victim Advocacy, Probation, Sheriff's Office, County Jail and 911 Emergency Services, and an addition to the County Courthouse to centralize County services, expand Clerk and Recorder secure storage and make improvements to the building to comply with Americans with Disabilities Act requirements, and paying costs associated with the sale and issuance of the bonds. David Schulz seconded the motion. All voted aye and the motion carried.

Communications Coordinator Position: The Board reviewed applications for the Communications Coordinator position and will schedule three interviews for the position.

Airport Board Resignation: Jim Hart moved to accept the resignation of James Singer from the Madison County Airport Board and to advertise the position. David Schulz seconded the motion. All voted aye and the motion carried.

Department of Revenue MOU: Jim Hart moved to approve the Memorandum of Understanding between Madison County and the Montana Department of Revenue stating that the Department of Revenue will continue to occupy office space in the courthouse, the County will continue to use office space leased from Cielo Properties, and that the Department of Revenue will continue to pay the lease payments to Cielo Properties and will extend the lease to June 30, 2009. David Schulz seconded the motion. All voted aye and the motion carried.

Medical Insurance: After reviewing a letter from Bruce Wagner, Boulder Administration Services, regarding a request to allow dependents to remain on the County medical insurance plan until age 25 regardless of whether they are attending school, Jim Hart moved to increase the allowable age for dependants on the Madison County Medical Insurance Plan from 19 to 25 years of age, to be initiated at policy renewal in 2008 and reviewed at policy renewal in 2009. David Schulz seconded the motion. All voted aye and the motion carried.

Nursing Homes Board Appointment: Jim Hart moved to appoint Roger Staley to the Madison County Nursing Homes Advisory Board for fulfilling a vacant three year term that will expire on December 31, 2007. David Schulz seconded the motion. All voted aye and the motion carried.

Orchard Hill Estates Request for Drawdown: On Thursday, July 19, 2007, after appropriate notice, the Board met with interested parties at the site of Orchard Hill Estates Subdivision to inspect subdivision improvements. The Board will draft a letter to the landowner/developer. Notes from this meeting will be in the Orchard Hill Estates file.

Twin Bridges Senior Citizens Support Letter: Jim Hart moved to approve a letter of support for a Senior and Community Center in Twin Bridges. David Schulz seconded the motion. All voted aye and the motion carried.

Building Project (Law and Justice Center): Sheri Jarvis, Project Information Coordinator, met with the Board to discuss scheduling public meetings and sending out an informational mailer regarding the Law and Justice Center and Courthouse addition. Ellis Thompson, Virginia City resident, and Jim Carpita, Heritage Commission, were also present for this portion of the meeting. Also discussed was an archeological review of the site.

Historic Road Closure in Ennis: Stephanie Kruer, Attorney at Law, met with the Board to discuss a possible error in the legal description of a historical road closure in Ennis. Former County Commissioner, Ted Coffman, was also present for this portion of the meeting. Jim Hart stated that in discussions with landowners there is some agreement that there is miswording on the documents but that the road in question is still a County road. Stephanie will draft a letter to the Board listing options for settling this issue.

Public Hearing – Sagebrush Energy Tower Permit Application: Chairman Schulz opened the Public Hearing for Sagebrush Energy Tower Permit Application at 1:10 p.m. Those people on the attached list were present for the hearing. Paul Kimball, President of Sagebrush Energy, gave a brief description of the project. Jim McGowan, Great West Engineering, Project Manager, stated that the application is complete and the only issue of concern raised by public comment was impacts on migratory birds. In response, the developer has committed to monitor bird and bat mortality and to remove the tower in the event of more than three carcasses per month and to share mortality data with the USFWS. In accord with the recommendation of Doris Fischer, former County Planner, Jim McGowan recommended approval of the project. Whitney Lake, Landowner, spoke in favor of the project. Ellis Thompson, adjacent Landowner, stated that he was not opposed to this tower but had concerns regarding size and placement of permanent structures in relationship to potential residential property if the project were to proceed. Ellis also stated that the first notification of future wind projects should be sent to affected landowners by certified mail. Based on the recommendation of Jim McGowan, that, as proposed, the MET tower meets the requirements of Madison County Ordinance 1-2003, Jim Hart moved to approve the permit application from Sagebrush Energy to erect a temporary Meteorological Tower to measure wind resources approximately three miles south of Norris Junction and 15 miles north of Ennis in Section 26, Township 3 South, Range 1 West, PMM, Madison County, Montana, as long as tower erection and operation occur in the manner proposed. David Schulz seconded the motion. All voted aye and the motion carried.

Claims: The Board approved claims.

With no further business the meeting was adjourned at 4:30 p.m.

David Schulz, Chairman
Board of Madison County Commissioners

Date Approved: July 31, 2007

Minutes prepared by:

Laurie Buyan, Administrative Assistant

Peggy Kaatz, Clerk and Recorder, Madison County